

BEFORE THE FISH AND WILDLIFE COMMISSION  
OF THE STATE OF MONTANA

In the matter of the repeal of ARM        ) NOTICE OF REPEAL  
12.9.206 pertaining to McLean Game        )  
Preserve                                        )

TO: All Concerned Persons

1. On December 11, 2014, the Fish and Wildlife Commission (commission) published MAR Notice No. 12-405 pertaining to the proposed repeal of the above-stated rule at page 2907 of the 2014 Montana Administrative Register, Issue Number 23.

2. The commission has repealed the above-stated rule as proposed.

3. The commission has thoroughly considered the comments received. Three comments were received, two in support and one opposed. A summary of the comments received and the commission's responses are as follows:

Comment 1: The commission received two comments in support of repealing ARM 12.9.206. One comment stated the repeal could allow hunting to alleviate game damage concerns on cultivated crops. The other comment felt the designation of the game preserve status was unwarranted given low numbers of wildlife sightings and limited wildlife habitat.

Response 1: The quality and quantity of wildlife habitat within the McLean Game Preserve has changed. Landowners may now allow hunting on their property.

Comment 2: The commission received one comment in opposition of the rule repeal citing a concern about the potential loss of wildlife habitat.

Response 2: The commission believes the quality and quantity of wildlife habitat has changed within the game preserve. The commission is dedicated to the preservation of wildlife habitat statewide and does not believe repealing the rule designating the McLean Game Preserve will have an effect on wildlife habitat.

/s/ Dan Vermillion  
Dan Vermillion  
Chairman  
Fish and Wildlife Commission

/s/ Zach Zipfel  
Zach Zipfel  
Rule Reviewer

Certified to the Secretary of State March 2, 2015.